IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR.

O R D E R

Smt.Kiran Bala v. State of Raj. & Anr.

S.B.CIVILWRIT PETITION No.710/1992
under Article 226 of the Constitution of India.

Date of Order : 22nd March, 2005

P R E S E N T

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. J.L.Purohit, for the petitioner.
Mr. L.R.Upadhyay, Dy.Govt.Advocate.

BY THE COURT :

This writ petition is directed against the order dated 28.9.1991 passed by Collector, Nagaur refusing request of the petitioner to convert the nature of land owned by her situated in khasra No.3 meen (new No.127), village Jabdinagar, District Nagaur for the reason that the government under an order dated 19.6.1991 prohibited all conversions of land in khasra No.3 (new No.130).

The grievance of the petitioner is that the land owned by her is situated in khasra No.3 meen (new No.127) and not in khasra No.3 (new

No.130) to which no order of prohibition is passed by the Government of Rajasthan.

In reply to writ petition it is asserted by the respondents that khasra No.3 meen is part of old khasra No.3 and, therefore, the prohibition for conversion of land is applicable on the land owned by the petitioner also.

I have perused the order impugned Anx.10 dated 28.9.1991.

The order dated 28.9.1991 in quite unambiguous terms mentions that there is prohibition for conversion of land in old khasra No.3 (new No.130). This fact clearly establishes that ban for conversion of land pertains to khasra No.3 (new No.130). The land of the petitioner is situated in khasra No.3 meen (new No.127). It is also pertinent to note that the respondents in the same chunk of land converted a piece of land owned by Shri Bhanwarlal s/o Shri Boduram as it is apparent from perusal of communication dated 31.5.1989 placed on record as Anx.9. In view of it, it appears that the application of the petitioner with regard to conversion of land situated in khasra No.3 meen (new No.127) in village Jagdinagar, District Nagaur has been rejected erroneously.

The respondents, therefore, are directed to consider the application of the petitioner for

conversion of land referred above afresh in accordance with law within a period of three months from the date they receive a certified copy of this order with a representation for reconsideration by the petitioner.

The writ petition stands disposed of with directions above.

(GOVIND MATHUR),J.

kkm/ps.